

④ — ②

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

(S) 933
W.P. No...../2007

PETITIONER:

1. Sobha Singh Mehra S/o Shri D. S. Mehra , Aged 42 year's Working as Asst. Teacher (Tribal Department) at Govt. Primary School, Rampal, Jagdalpur, Dist Bastar (C.G.)
2. Moti Ram Bandhe S/o Shri Dasrath Bandhe, Aged 40 years, Working as Asst. Teacher (Tribal Department), at Middle School Mongrapal, Jagdalpur, Dist Bastar(C.G.).
3. Jai Singh Kashyap S/o Shri Dasmath Kashyap, Aged 40 Years, Working as Asst. Teacher at Primary School sivnaguda, Jagdalpur, Distt. Bastar (C.G.).
4. Dashmat Kumar Kashyap S/o Shri Devnath Kashyap, Aged 39 years, Working as Asst. Teacher at Higher Secondary School Mooli, Jagdalpur Dist. Bastar (C.G.)
5. A. R. Das S/o Shri Mahadev Das Aged 39 Years, Working as Asst. Teacher at Primary School Choknar Jagdalpur Dist. Bastar (C.G.)

1197/07
Presented by
dated 9/2/07
RECEIVED - COPY
9/2/07
CLERK to A. G. BILASPUR



VERSUS

RESPONDENTS

1. State of Chhattisgarh through the Secretary Tribal Welfare Department

5

3

D.K.S. Bhawan, Mantralaya, Raipur
(Chhattisgarh)

2. Commissioner, Tribal Welfare
Department, Pt. Ravishankar
University campus, Raipur (C.G.)
3. Asst. Commissioner,
Tribal Welfare Department, Jagdalpur
Distt. Bastar (C.G.)

**PETITION UNDER ARTICLES 226 OF THE CONSTITUTION OF
INDIA FOR ISSUANCE OF APPROPRIATE WRIT OF MANDAMUS
AND CERTIORARI ETC. OR DIRECTION/ORDER OF LIKE NATURE
ETC :-**

(61)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P.(S) No. 933 of 2007

Petitioners : Sobha Singh Mehra and others
Versus

Respondents : State of Chhattisgarh and others

SB: Hon'ble Mr. Justice Satish K. Agnihotri, J

Present: Mr. Manoj Chauhan, Advocate for the petitioners.

Ms. Deepali Pandey, Panel Lawyer for State/respondents.

ORDER

(Passed on this 20th Day of February, 2007)

1. The petitioners were appointed in the year 1987 as Assistant Teachers on fixed pay scale of Rs. 300/-. After completion of one year probation, they were granted regular pay scale.
2. Learned counsel appearing for the petitioners submits that the issue involved in the case is asto whether, the petitioners are entitled to regular pay scale w.e.f. the date of initial appointment or after completion of probation period.
3. The issue involved, herein was considered by the Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A. No. 2745/89 (Madhukant Yadu and 56 others Vs. State of M.P. & others), wherein it was held that the similarly situated teachers are entitled to regular pay scale w.e.f. the date of initial appointment. The matter was taken-up to the Hon'ble Supreme Court in Special Leave Petition (Civil) No. 6892/93. The said petition was dismissed

by the Hon'ble Supreme Court upholding the decision of the Tribunal to the effect that the Teachers/Assistant Teachers are entitled to regular pay scale from date of initial appointment.

4. Learned counsel appearing for the petitioners further submits that this Court, while considering the same issue in Amar Sai Ram & others Vs. State of Chhattisgarh & others (W.P. (S) No. 4725/2006) by order dated 1.9.2006, has granted regular pay scale w.e.f. the date of initial appointment.
5. Learned counsel appearing for the parties jointly submit that this case is squarely covered by the decision of this Court in the case of Amar Sai Ram & others Vs. State of Chhattisgarh & others (Supra).
6. In view of that this petition is disposed of in the same terms. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge